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April 14, 2025

Honorable Mark J. Conway  
US Bankruptcy Court  
Max Rosenn US Courthouse  
197 South Main Street  
Wilkes-Barre, PA 18701

**Re: Letter Brief**  
**Chapter 13 Bankruptcy**  
**Denice L. Rouse**  
**Case No.: 4:25-bk-00774-MJC**

Dear Judge Conway:

This Letter Brief is written to address the issue in the above case whether a second, concurrent filing of Chapter 13 would render that second filing bad faith. The case at bar is identical to the case of in **Re: Timothy Lee Wilkinson and Christine Marie Wilkinson** 1:19-bk-03021-HWV. In both instances, Debtors were formerly represented by counsel who failed to respond to motions for relief from the automatic stay. After the failure to answer these motions the **Wilkinson** Debtors and also Debtor Denice L. Rouse did seek new counsel to help overcome the missed deadlines. In both cases, the new attorneys (including the undersigned) opted to file a second, concurrent case. There is no evidence in the present case that the Debtor timed her filing to avoid the impact of Section 109(g)(2). As such, similar to the Debtor in re Wilkinson, there is no existence of bad faith and the case docketed to 4:25-bk-0774-MJC should survive. A subsequent Motion to Dismiss the case docketed 4:24-bk-01594-MJC will be filed expeditiously following the hearing on April 17, 2025.

Very truly yours,

**LAW OFFICES OF JOHN M. HYAMS**

John M. Hyams  
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Enclosure